

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2931 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

GUJ.STATE DIST.PANCHAYAT ADULTEDU. PROJECT EMPLOYEES' UNION
Versus
STATE OF GUJARAT

Appearance:

MR DM THAKKAR FOR MR PM THAKKAR for Petitioner
MR PREMAL JOSHI for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 28/09/2000

ORAL JUDGEMENT

#. This petition is filed by Gujarat State District Panchayat Adult Education Project Employees' Union praying therein for quashing and setting aside the Annexure-D, page 45 to the special civil application,

i.e. the letter of the Government of India, Ministry of Human Resources Development (Department of Education), New Delhi, dated 18th March 1988, under the caption, "Payment of Bonus to the staff appointed for the scheme of Adult Education". The Government of India, Ministry of Human Resources Development (Department of Education), New Delhi, wrote to the Under Secretary, Education Department of the Government of Gujarat, that the employees who are working under the Adult Education Programme which are sanctioned to States/ Union Territories on purely temporary basis, i.e. for one year, are not entitled for bonus. However, the learned counsel for the respondent has given out that this Project has also been discontinued. Be that as it may, this petition by Union of employees is difficult to appreciate for the reason that in the service matters, the employees who are individually affected are to come before this Court. It is understandable that Union provide them free legal services or they may get them the petition filed but filing of a writ petition by the Union, as none of its legal or fundamental rights are infringed, cannot be entertained. Those employees, if still they have some grievances, can approach to the concerned department of the Union of India by filing a representation and if such a representation is filed, it may be taken care of and decided expeditiously, say within a period of three months from the date of receipt thereof. The Union of employees is not to get any bonus whatsoever and at the cost of repetition, it is to be stated that none of its legal and fundamental rights are infringed. Moreover, if we go by the Project and the designation of services, the petitioner could have raised industrial dispute and that is another ground on which this petition cannot be entertained. The special civil application is dismissed. Rule discharged. Interim relief, if any, earlier granted stands vacated. No order as to costs.

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(sunil)